IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

Bail Appl..No. 746 of 2007()

CRMP.194/2007 of SESSIONS COURT, THODUPUZHA

.....

PETITIONERS/ACCUSED

---

1. ANOOP, S/O. ITTAR VARGHESE,
   AGED 29 YEARS, KOCHERI HOUSE, IRUMBU PALAM,
   VALARA P.O., MANNARKANDAM VILLAGE,
   DEVIKULAM TALUK, IDUKKI DISTRICT.

2. NAZEER P.S., S/O. SAINUDEEN,
   AGED 30 YEARS, THEKKUMCHERIL HOUSE,
   ADIMALI KARA, MANNAMKANDAM VILLAGE,
   DEVIKULAM TALUK, IDUKKI DISTRICT.

3. SEEMON P., S/O. THANKACHAN,
   AGED 40 YEARS, KOTTOLIL HOUSE, POWER HOUSE,
   ANACHAL VILLAGE, DEVIKULAM TALUK,
   IDUKKI DISTRICT.

4. M.M.RAHIM, S/O. MOHAMMED, AGED 36 YEARS,
   MURIKKATTIL HOUSE, THOKKUPARA KARA,
   PALLIVASAL VILLAGE, DEVIKULAM TALUK,
   IDUKKI DISTRICT.

BY ADV. SRI.JOICE GEORGE

RESPONDENTS: COMPLAINANT

---

1. STATE OF KERALA, REPRESENTED BY
   PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   ADIMALY POLICE STATION, IDUKKI DISTRICT.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 09/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.746 OF 2007

- - - - - - - - - ---------- - - - - -

DATED THIS THE 9th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused 3, 4, 1 and 2 respectively in Crime No.15/07 of Adimaly Police Station for offences punishable under sections 143, 147 and 448 read with section 149 IPC and section 3(2) of the PDPP Act, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 8.1.2007 at about 3 PM in connection with the 'hartal' called by the UDF a violent mob consisting of the petitioners and others forming themselves into an unlawful assembly destroyed the office cabin and files of the Commercial Taxes Officer, Adimaly. They had also forcibly closed down the office shutters thereby causing obstruction to the staff members including ladies.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner s to surrender before the Investigating Officer for interrogation and then to have their application for regular bail considered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 13.2.2007 and

15.2.2007 for the purpose of interrogation. The petitioners shall thereafter be produced before the Magistrate having jurisdiction who shall consider and dispose of the application, if any, filed by the petitioners, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn